

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Harrisonburg Division

CONSUMER FINANCIAL PROTECTION  
BUREAU; COMMONWEALTH OF  
MASSACHUSETTS; THE PEOPLE OF  
THE STATE OF NEW YORK, by LETITIA  
JAMES, Attorney General of the State of  
New York; and COMMONWEALTH OF  
VIRGINIA, *EX REL.* JASON S. MIYARES,  
ATTORNEY GENERAL,

Plaintiffs,

v.

Case No.: 5:21-cv-00016-EKD

NEXUS SERVICES, INC., LIBRE BY  
NEXUS, INC., MICHEAL DONOVAN,  
RICHARD MOORE, and EVAN AJIN,

Defendants.

**MOTION FOR LEAVE TO WITHDRAW**

The Commonwealth of Virginia *ex rel.* Jason S. Miyares, Attorney General (“Commonwealth”), by counsel, and for good cause shown, hereby requests that this Court permit the withdrawal of an attorney serving as counsel of record for the Commonwealth, and states the following in support thereof:

1. Effective November 1, 2021, Senior Assistant Attorney General David B. Irvin will retire and separate from his employment with the Office of the Attorney General of Virginia.
2. Assistant Attorney General James E. Scott, who is admitted to this Court, has made an appearance in this matter as counsel of record, will continue to

represent the Commonwealth, and agrees to continue to co-sponsor Jon Burke, Franklin Romeo, Laura Levine, and Jane Azia, each of whom were admitted *pro hac vice* in this matter.

3. No parties will be prejudiced by the withdrawal of David B. Irvin.

WHEREFORE, the Commonwealth respectfully moves this Court for entry of an Order withdrawing the appearance of David B. Irvin as counsel of record for the Commonwealth and removing him from continued service in this case.

Dated: October 23, 2023

Respectfully submitted,

/s/ James E. Scott  
Virginia Bar Number: 88882

*Attorneys for the Commonwealth of Virginia, ex rel.  
Jason S. Miyares, Attorney General*

Jason S. Miyares  
*Attorney General*  
Charles H. Slemp III  
*Chief Deputy Attorney General*  
Steven G. Popps  
*Deputy Attorney General*  
Richard S. Schweiker, Jr.  
*Chief and Senior Assistant Attorney General*

**David B. Irvin**  
Virginia Bar Number: 23927  
Unit Manager and Senior Assistant Attorney General

**James E. Scott**  
Virginia Bar Number: 88882  
Assistant Attorney General  
Office of the Attorney General  
Consumer Protection Section  
202 North Ninth Street  
Richmond, VA 23219  
Telephone (Irvin): (804) 786-4047  
Telephone (Scott): (804) 225-4778  
Fax: (804) 786-0122

Email: [dirvin@oag.state.va.us](mailto:dirvin@oag.state.va.us)

Email: [jscott@oag.state.va.us](mailto:jscott@oag.state.va.us)